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FILED  
 MAR 10 2008  
 CLERK  
 U.S. DISTRICT COURT  
 SAN FRANCISCO

6 Attorneys for Plaintiff and Appellant  
 7 Trevor Moss

8  
 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 TREVOR MOSS,

Case No.: C 07-2732- SC

13 Plaintiff/Appellant,

**NOTICE OF APPEAL TO THE UNITED  
 STATES COURT OF APPEAL FOR THE  
 NINTH CIRCUIT**

14 v.

Attachments:

15 TIBERON MINERALS LTD.,

Representation Statement and  
 16 Defendant/Appellee. Civil Appeals Docketing Statement

17 TO EACH PARTY AND THEIR ATTORNEYS OF RECORD:

18 PLEASE TAKE NOTICE THAT Trevor Moss, the plaintiff in the above named case,  
 19 hereby appeals to the United States Court of Appeal for the Ninth Circuit from: a) the Judgment  
 20 of Dismissal, entered in this action on December 5, 2007, as well as the underlying Order  
 21 Granting Defendant's Motion to Dismiss for Forum Non Conveniens, entered in this action on  
 22 November 1, 2007, and b) the Order Denying Plaintiff's Motion to Alter Judgment Pursuant to  
 23 FRCP 59(e) and Motion for Relief from Judgment Dismissing for Forum Non Conveniens  
 24 Pursuant to FRCP 60(b), entered in this action on March 11, 2008.

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2 Dated: April 10, 20083 CRAIGIE, McCARTHY & CLOW  
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56 By: James M. Hanavan  
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28**PROOF OF SERVICE**

I, Kristen Drake, certify and declare as follows:

I am over the age of 18 years, and not a party to this action. My business address is Craigie, McCarthy & Clow, 540 Pacific Avenue, San Francisco, California 94133.

X **BY MAIL:** I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business. On April 10, 2008, at my place of business at Craigie, McCarthy & Clow, 540 Pacific Avenue, San Francisco, California 94133, I placed the document(s) described on the attached document list for deposit in the United States Postal Service in a sealed envelope, with postage fully prepaid, addressed to those persons listed in the attached service list.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on April 10, 2008.

*Kristen Drake*  
Kristen Drake

**DOCUMENT LIST**

NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEAL FOR THE NINTH CIRCUIT;  
REPRESENTATION STATEMENT; and,  
CIVIL APPEALS DOCKETING STATEMENT.

**SERVICE LIST**

1  
2  
3 David J. Brown  
4 MBV LAW LLP  
5 855 Front Street  
6 San Francisco, CA 94111  
7 Facsimile: (415) 989-5143  
8 Attorneys for Defendant Tiberon Minerals Ltd.  
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 7 Trevor Moss

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10 IN THE UNITED STATES COURT OF APPEALS  
 11 FOR THE NINTH CIRCUIT

12

13 TREVOR MOSS,

14 No. \_\_\_\_\_

15 Plaintiff/Appellant,

16 District Court No. C 07-2732- SC  
 17 (N.D. Cal. San Francisco)

18 v.

19 TIBERON MINERALS LTD.,

20 **REPRESENTATION STATEMENT**

21 Defendant/Appellee.

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23 Pursuant to Rule 12(b) of the Federal Rules of Appellate Procedure and Circuit Rule 3-  
 24 2(b), Plaintiff and Appellant Trevor Moss submits the following Representation Statement:

25

26 James M. Hanavan and Kristen E. Drake of Craigie, McCarthy & Clow represent Trevor  
 27 Moss, Plaintiff and Appellant in this matter, and no other party. Below is a service list that shows  
 28 all of the parties to the action, and identifies their counsel by name, firm, address, telephone and  
 facsimile numbers, and e-mail address:

<u>Party</u>	<u>Counsel</u>
Trevor Moss, Plaintiff/Appellant	James M. Hanavan, State Bar No. 66097 Kristen E. Drake, State Bar No. 202827 CRAIGIE, McCARTHY & CLOW 540 Pacific Avenue San Francisco, CA 94133 Telephone: (415) 732-7788 Facsimile: (415) 732-7783 E-mail: craigielaw@aol.com

1 Tiberon Minerals Ltd., Defendant/Appellee

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13 Dated: April 10, 2008

14 CRAIGIE, McCARTHY &amp; CLOW

15 By: James M. Hanavan  
16 Attorneys for Plaintiff and Appellant  
17 Trevor Moss